

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WIND CHASER TECHNOLOGY
LIMITED,

Plaintiff,

v.

TAO HUA,

Defendant.

Case No. 23-cv-00493-VC

**ORDER GRANTING MOTION FOR
DEFAULT JUDGMENT**

Re: Dkt. No. 37

The motion for default judgment against Tao Hua is granted. The Court has subject matter jurisdiction to enter default judgment. *See* 28 U.S.C. §§ 1331, 1338(a). And the Court has personal jurisdiction over Hua under 17 U.S.C. § 512(g)(3)(D).

Each of the *Eitel* factors also weighs in favor of entering default judgment. *See Eitel v. McCool*, 782 F.2d 1470, 1471–72 (9th Cir. 1986). The allegations in the complaint are well-pled and supported by the record. No material facts appear to be in dispute as evidenced by Hua’s decision not to appear. Absent default judgment, Wind Chaser would be prejudiced by having no likely recourse for recovery. Wind Chaser requests only injunctive relief, along with reasonable attorneys’ fees (\$76,627) and costs (\$1,448). There is nothing to suggest Hua’s default was due to excusable neglect and Hua’s failure to appear makes a decision on the merits impossible. Therefore, default judgment is appropriate.

A separate judgment will follow.

IT IS SO ORDERED.

Dated: May 14, 2024



VINCE CHHABRIA
United States District Judge